

CHAPTER 1

INTRODUCTION

1-1. Scope. This pamphlet is generally applicable to all types of A-E contracts. However, certain aspects of Chapter 4 on price negotiation and Chapter 5 on contract administration are not relevant to cost-reimbursement (CR) contracts. See FAR 15.4, 16.3, 16.4, 31, 32 and 42 for specific guidance on CR contracts.

1-2. Background. The Brooks A-E Act (Appendix A) defines A-E services and specifies the Federal policy for procuring A-E services. The Brooks A-E Act requires the public announcement of requirements for A-E services, selection of the most highly qualified firms based on demonstrated competence and professional qualifications, and the negotiation of a fair and reasonable price. FAR Part 36, and the supplements thereto, implement the Brooks A-E Act.

1-3. Responsibilities.

a. Commanders should regularly evaluate the A-E contracting process in their command to ensure it is efficient and effective. Appendices C, D and E are checklists that may be used for this purpose.

b. The Principal Assistant Responsible for Contracting (PARC), Headquarters USACE (HQUSACE) (CEPR-ZA):

(1) Is the senior staff official responsible for execution, oversight and administration of the contracting function.

(2) Carries out delegable authorities of the Head of the Contracting Authority as described in the FAR, DFARS, AFARS and EFARS.

c. The Technical Policy Branch, Engineering and Construction Division, Directorate of Civil Works, HQUSACE (CECW-ET):

(1) Is responsible for USACE technical guidance and procedures for A-E contracting, including maintenance of this pamphlet. CECW-ET, in coordination with the PARC and other HQUSACE elements, will identify and implement regulatory and procedural changes to improve the A-E contracting process throughout USACE.

(2) Supports the PARC in monitoring the compliance of USACE commands with A-E procurement regulations and this pamphlet through staff assistance visits, automated and special reports, informal coordination, conferences and other appropriate methods.

d. The Technology Integration Branch, Engineering and Construction Division, Directorate of Civil Works, HQUSACE (CECW-EE) is the proponent of the Architect-Engineer Contract Administration Support System (ACASS) and is responsible for ACASS policy and general management oversight. This office is also the principal interface on ACASS with other Federal agencies.

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e. The Contracting Division, Portland District (CENWP-CT) is responsible for operation and maintenance of ACASS in accordance with HQUSACE policy and direction. CENWP-CT will issue instructions on ACASS and respond to inquiries from users and A-E firms.

1-4. Training. The following courses provide valuable training regarding A-E contracting.

a. "Architect-Engineer Contracting," USACE Proponent Sponsored Engineer Corps Training (PROSPECT) Course Number 004.

b. "Architect-Engineer Contracting," Defense Acquisition University (DAU) Course Number CON 243.

1-5. Internet Addresses. Appendix F is a list of useful Internet addresses pertinent to A-E contracting, and contracting in general.